

Sri K. H. PATIL.—Sri T. A. Pai was the Chairman of the NCDC for some time.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಈಗ ನಾನು ಯಾವುದೇ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. ಏಕೆಂದರೆ ಪಬ್ಲಿಕ್ ಅಕೌಂಟ್ ಕಮಿಷಿಯವರು ಈವಾರ್ಷಿಕಿಂಗ್ ಫರೇರೇಫ ಸಂಸ್ಥೆಯ ವಿಷಯವನ್ನು ಎಕಾಮಿನ್ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಅದು ಮುಗಿಯುವವರೆಗೆ ಯಾವುದೇ ಒಂದು ಮಾತನ್ನು ನಾನು ಹೇಳುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. ಅವರು ಸಂಘಸಂಸ್ಥೆಗಳಲ್ಲಿ ಮುಂದುವರಿಯುವುದು ಸತ್ ಸಂಪ್ರದಾಯವಲ್ಲ. ಶ್ರೀಮಾನ್ ಕೆ.ಎಚ್.ಪಾಟೀಲ್ ರವರು ಬೇಕಾದಷ್ಟು ಸಹಕಾರ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಪ ತನಿಧಿನಿಂದ ವ್ಯಕ್ತಿ. ಈ ಸಭೆಯಲ್ಲಿ ನೇಮಕಮಾಡಿದಂತ ಒಂದು ಕಮಿಟಿ ಏನು ಇದೆ ಅದರ ಬಗ್ಗೆ ಯಾವ ಒಂದು ವಿಷಯವನ್ನು ಈ ಹಂತದಲ್ಲಿ ಹೇಳುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. It is premature. ಅಮೇರಿ ಒಂದು ರಿಪೋರ್ಟು ಕಳುಹಿಸಿಕೊಡುತ್ತೇವೆ. ಮಗಮ್ ಆಗಿ ಹೇಳುತ್ತೇನೆ I am not prepared to go ದಯವಿಟ್ಟು ಅವರು ಒಂದು ಸತ್ ಸಂಪ್ರದಾಯವನ್ನು ಹಾಕಬೇಕೆಂದು ಇದ್ದರೆ ದಯಮಾಡಿ ಅವರು ರಾಜೀನಾಮೆ ಕೊಡಬೇಕು It is high time he should resign. ಮಂಗಳೂರು ಫರ್ವಿಲ್ಯಷರ್ ಕಾರ್ಪೊರೇಷನ್ ವಿಷಯವಾಗಿ ಹೇಳುವುದಕ್ಕೆ ಹೋಗುವುದಿಲ್ಲ. ಅಷ್ಟಕ್ಕೆ ನಿಲ್ಲಿಸುತ್ತೇನೆ. ಯಾವುದೇ ಒಂದು ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸಮಾಡಬೇಕಾದರೆ ಅದರ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಏನೇನು ಬರುತ್ತದೆ ಅದಕ್ಕೆ ಮಂತ್ರಿಗಳಿಗೂ ಮತ್ತು ಸದಸ್ಯರಿಗೂ ವ್ಯತ್ಯಾಸವಿರುತ್ತದೆ. I don't want to elaborate all these points. I earnestly request the Hon. Chief Minister to direct his colleague, to vacate these places. Three months have already been elapsed. Otherwise, unnecessarily, we may have to take up this issue. I am playing the dual role as Chairman of the P.A.C. and the Leader of the Opposition I do not want to enter again into this controversy and I request the Hon. Chief Minister in all humility at my command to direct his colleague to resign from his post. I think the Hon. Chief Minister will agree with me because I do not want to set any bad precedent. ಮೈಸೂರು ಯೂನಿವರ್ಸಿಟಿ ಎರೇಕ್ಷನ್ ಮಾಡಿ ನಾಳೆ ವಜಾಮಾಡಿದ್ದಾರೆ. ಅದು ಯಾವ ಸರ್ ಕಮ್ಪ್ಲೆನ್ಸ್ ಬಂತು ಅದಕ್ಕೆ ಎವರನ್ ಕೊಡಬೇಕು.

Karnataka Civil Service (Revision of Pay of certain Categories of Posts) Bill, 1975—(Introduction)

MADAM SPEAKER.—Hon. Minister for Finance and Housing may introduce the Karnataka Civil Services (Revision of pay of certain Categories of posts) Bill, 1975, and the Karnataka Sales Tax (Amendment) Bill, 1975.

Sri M. S. KRISHNAN (Malleswaram).—I rise on a Point of Order. Before the Introduction, is made, I would like to know whether a Statement has been placed on the table of this House explaining the circumstances under which the Government was compelled to issue these Ordinances.

MADAM SPEAKER.—I think it is in the Bill.

Sri M. S. KRISHNAN, —According to Rule No. 70 (1) of the Rules of Procedure and Conduct of Business in the Karnataka Legislative Assembly, whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the Assembly, there shall be placed before the Assembly along with the Bill a statement explaining the circumstances which necessitated immediate legislation by Ordinance. I want to know whether such thing is placed on the table of the House?

Sri M. Y. GHORPADE.—The Statement of Objects and Reasons contains all those things.

Sri M. S. KRISHNAN —That is a different matter. Every Bill will have the Statement of Objects and Reasons. The point is not that According to the Rules, I consider that statement explaining the circumstances is a statement different from the statement of Objects and Reasons. I am not speaking on the only Bill to be introduced by the Hon. Minister for Finance. The most important question is, whether a statement is placed on the table of the House in respect of the Bills that are now coming up to replace the Ordinances explaining the circumstances under which those Bills are brought.

Secondly in regard to the particular Bill, i.e., the Karnataka Sales Tax (Amendment) Bill, 1975, from the Statement of Objects and Reasons, we can say that it is a Bill which seeks to levy the tax and according to the Constitution, it is a Money Bill. According to Article 199(i) of our Constitution, Money Bill means :

“ For the purposes of this Chapter a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely:

(a) the imposition, abolitions, remission, alteration or regulation of any tax. “

In fact, this Bill is one which comes under alteration or regulation of that tax. I am not speaking of the Imposition. So, it attracts Article 199. There is a restriction placed in regard to the powers of the Assembly and the Legislature relating to the introduction of the Money Bills. The procedure that is being followed is to be in accordance with that Article. That is why, I would like to know whether that procedure is being followed or has not been followed and I consider that it has not been followed unless I get the classification from the Hon. Madam Speaker.

ಅಧ್ಯಕ್ಷರು.—ಅದು ಬಿಲ್ಲನ್ನಲ್ಲ ಇದೆ. ತಾವು ದಯಮಾಡಿ ನೋಡಿ ಹಿಂದಿನ ಪುಟದಲ್ಲಿ.

ಶ್ರೀ ಹೆಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಮಾನ್ಯ ಅರ್ಥಸಚಿವರು ಒಂದು ನಿಮಿಷ ಅವಕಾಶ ಕೊಟ್ಟರೆ ಹೇಳುತ್ತೇನೆ. ಅರ್ಮಿನ್ಸ್ ಇಷ್ಯೂ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವಿದೆ. ಅದರ ಒಂದು ಅರ್ಡಿನನ್ಸ್ ಮಾಡಿದಮೇರೆಗೆ under what circumstances it was issued should be made known to the House. ನಾವು ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಮೇಲೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಹೋದರೆ ನಮ್ಮನ್ನು ಅದುಮಿ ಹಿಡಿಯುತ್ತಾರೆ. ಮೈಸೂರು ಯುನಿವರ್ಸಿಟಿಯಲ್ಲಿ ಎಕ್ಸನ್ ಮಾಡಿ ಮೊದಲನೆಯ ದಿನವೇ ಅವನ್ನು ವಜಾಮಾಡಿದ್ದಾರೆ. ಅವಕ್ಕೆ ಯಾವ ಸಂದರ್ಭ ಬಂತು ದಯಮಾಡಿ ವಿವರಣೆ ಕೊಡಬೇಕು.

Sri M. Y. GHORPADE.—Apart from the Statement of Objects and Reasons, the particulars as suggested by the Hon. Member is separately given in the Bill that has been circulated. I am submitting that, at this stage, we are only introducing the Bill. When the Bill is taken up for discussion, surely, it is our responsibility to explain why this procedure become necessary and at that time, the Hon. Members will have full scope to judge and if necessary to criticise whether the

procedure we have followed was absolutely in public interest or not. I do think it is a proper procedure for me to go into the merits of the Ordinance and the subsequent Bill which has been introduced to regularise the position. What we are doing right now is to introduce the Bill and the procedure pointed out by the Hon. member that it should contain the reason why it was done. This point has been fully satisfied in both the Bills that I am going to introduce.

Sri M. S. KRISHNAN.—Under rule 17 of the Rules of Procedure the statement has been appended to both the Bills. What I would like to point out is this, a number of Ordinances have been issued since the last session and of course the Government has a right to issue ordinances and to bring it in the form of a Bill before the Legislature, I do not know whether it is a proper course. Probable they want to circumvent the issue.

The Karnataka Civil Services (Revision of pay of certain Categories of Posts) Bill, 1975 is an important Bill. This goes into the root of the things. Two grades are made and two classification are made. The Supreme Court itself has given a decision in this regard. I am pointing out the root of it. I shall speak on the Bill when it is taken up for discussion. But the behaviour of the Government in this regard is not correct.

Sri M. Y. GHORPADE.—The Ordinance had to be issued in the interests of the Factories and the cane growers. The Ordinance at that time was fully justified. This Bill seeks only to replace the Ordinance by a Bill. We cannot but come forward with a Bill before this House. I shall convince the members when that Bill is taken up for consideration. If we had not resorted to ordinance, the interests of the State would have been harmed. I shall fully explain the position when the Bill comes up for discussion. Now I am only trying to introduce the Bill,

Sri KAGODU THIMMAPPA.—He has not explained whether this Bill has undergone the constitutional formality.

Sri M. Y. GHORPADE.—This Bill is not intended to raise any tax. Certain procedural changes had to be made in the manner in which the purchase tax is levied. We have no other alternative except to do it by an Ordinance at that time. We have taken the earliest opportunity to bring forward this Bill before the Assembly. I shall defend this Bill with greater detail when it comes up for discussion.

Sri H. D. DEVE GOWDA.—The Hon. Minister has not answered the technical points raised by hon. Member Sri M.S. Krishnan. Let us hear the Parliamentary Affairs Minister in this connection.

Sri M. S. KRISHNAN.—I want the Speaker to give a ruling. He says that it is not such a serious thing. According to me this Bill attracts article. 191 of the Constitution because it is an imposition of tax and regulation of tax.

MADAM SPEAKER.—The first Bill is not a money Bill.

Sri M. Y. GHORPADE.—I beg to introduce:

“The Karnataka Civil Services (Revision of Pay of certain Categories of Posts) Bill, 1975.”

MADAM SPEAKER.—The Bill is introduced.**

Karnataka Sales Tax Amenement Bill, 1975—Introduction.

MADAM SPEAKER.—I have received the recommendation of the Governor under article 207 (1) of the Constitution for the introduction of the Karnataka Sales Tax (Amendment) Bill, 1975.

Sri M. Y. GHORPADE.—I beg to introduce:

“The Karnataka Sales Tax (Amendment) Bill, 1975.”

MADAM SPEAKER.—The Bill is introduced.**

K. C. S. Classification and Scale of pay of non-Graduate Junier Engineers of the PWD Bill, 1975—Introduction.

Sri S. M. KRISHNA.—On behalf of Sri H. M. Channabasappa, Minister for Public Works, I beg to introduce:

“The Karnataka Civil Services (Classification and Seales of Pay of non-graduate Junior Engineers of the Public Works Department) Bill, 1975”

MADAM SPEAKER.—The Bill is introduced.**

Motion re : Ratification to the Amendements in the Constitution of India 36th Amendment) Bill, 1974

Sri S. M. KRISHNA (Minister for Industries and Parliamentary Affairs).—I beg to move :

“That this House ratifies the amendments to the Constitution of India falling within the purview of the proviso to clause (2) of article 368 thereof proposed to be made by the Constitution (Thirty-sixth Amendment) Bill, 1974, as passed by the two Houses of Parliament, which seeks to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship and the shorttitle of which has been changed into “The Constitution (Thirty-fifth Amendment) Act, 1974’.”

MADAM SPEAKER.—Motion moved:

“That this House ratifies the amendments to the Constitution of India falling within the purview of the proviso to clause (2) of article 368 thereof proposed to be made by the Constitution (Thirty-sixth Amendment) Bill, 1974, as passed by the two Houses of Parliament, which seeks to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship and the short title of which has been changed into “The Constitution (Thirty-fifth Amendment) Act, 1974’.”

** Bills, appended as Annexures to this Volume.